

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014

Item 10, Report No. 30, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 24, 2014.

10

ZONING BY-LAW AMENDMENT FILE Z.13.047

706147 ONTARIO INC.

WARD 1 - VICINITY OF KEELE STREET AND MAJOR MACKENZIE DRIVE

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, Interim Director of Planning/Director of Development Planning, and Manager of Development Planning, dated June 17, 2014:

Recommendation

The Commissioner of Planning, Interim Director of Planning/Director of Development Planning, and Manager of Development Planning recommend:

1. THAT Zoning By-law Amendment File Z.13.047 (706147 Ontario Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically the R1 Residential Zone, to permit a Business or Professional Office (office of a real estate agent) as an additional permitted use together with the site-specific zoning exceptions identified in Table 1 of this report on the subject lands shown on Attachments #1 and #2.

Contribution to Sustainability

The application implements the following Goals and Objectives of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.1: To achieve sustainable growth and development by completing and implementing Vaughan Tomorrow, the City's Consolidated Growth Management Strategy - 2031, and by ensuring that the strategy is subject to periodic review and renewal

Goal 4: To create a vibrant community where citizens, businesses and visitors thrive

- Objective 4.1: To foster a City with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage
- Objective 4.2: Ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base and continuing prosperity into the 21st century

In accordance with the goals and objectives identified above, the owner has advised that the following, but not limited to, sustainable site and building features will be included in the proposed development at the future site plan stage:

- i) bicycle parking provided in a highly visible and easily accessible location to encourage cycling as a clean air alternative
- ii) planting of shade trees to reduce surface temperature
- iii) permeable interlocking concrete unit pavers for all proposed walkways
- iv) recycled building and construction materials
- v) the use of low volatile organic compound paints

Economic Impact

There are no requirements for new funding associated with this report.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014

Item 10, CW Report No. 30 – Page 2

Communications Plan

On February 28, 2014, a Notice of Public Hearing for the meeting of March 25, 2014 was circulated to all property owners within 150 m of the subject lands. A copy of the Notice of Public Hearing was posted on the City's website at www.vaughan.ca and a Notice Sign was installed on the property. The Vaughan Planning Department received one letter of objection relating to traffic, noise and security issues related to the proposal. In addition, a verbal comment from the Committee of the Whole during the Public Hearing included a request that the owner examine additional landscape treatment to buffer the proposed parking area. These comments are addressed as follows:

i. Traffic

The owner has submitted a Traffic Impact and Parking Study dated December 2013, prepared by Cole Engineering. The Vaughan Development/Transportation Engineering Department has reviewed the Traffic Impact and Parking Study, and agrees with the findings and recommendation that the proposed development will not have an adverse impact on the surrounding road network.

ii. Noise

The subject lands are located between Keele Street and a private parking lot that serves the existing commercial building to the north (10175 Keele Street). The proposed real estate office use is compatible with the existing commercial uses located in proximity to the subject lands. The owner is also proposing to repurpose the existing two-storey heritage dwelling and is not proposing any mechanical roof top units that may generate additional noise. Notwithstanding, the Vaughan Development/Transportation Engineering Department has requested that the owner submit a detailed noise study upon submission of a Site Development Application.

iii. Security

The Vaughan Planning Department reviews all development applications utilizing the principles and guidelines of Crime Prevention Through Environmental Design (CPTED), which was approved by Vaughan Council on May 7, 2007. CPTED principles and guidelines provide the Planning Department and the development industry with the necessary guidelines to develop land in a manner that fosters safe communities. The development proposal implements the following objectives of CPTED:

- sufficient illumination around the site
- high quality building elevations and site landscaping that allows sufficient visibility into the site yet maintaining a positive streetscape
- windows installed towards all entrances, pedestrian walkways and parking areas
- defined limits of the property using natural landscaping barriers

iv. Landscape Treatment

The owner has revised the proposal since the Public Hearing to reduce the number of parking spaces from 11 to 9 spaces and providing additional landscaping along the east and south property lines, as shown on Attachment #4. The final landscape details and plant species will be determined at the Site Plan stage.

The recommendation of the Committee of the Whole to receive the Public Hearing report of March 25, 2014, and forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on April 8, 2014.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014

Item 10, CW Report No. 30 – Page 3

Purpose

To seek approval from the Committee of the Whole for Zoning By-law Amendment File Z.13.047 (706147 Ontario Inc.) respecting the subject lands shown on Attachments #1 and #2, to amend Zoning By-law 1-88, specifically the R1 Residential Zone, to:

- a) add a Business or Professional Office (office of a real estate agent), as an additional permitted use on the lands, whereas only a single detached dwelling for residential use (not proposed) is permitted; and,
- b) permit a one-storey, 80.53 m² addition to the existing two-storey building, together with the following site-specific zoning exceptions:

Table 1

	By-law Standard	By-law 1-88 Requirement of the R1 Residential Zone	Proposed Exception to the R1 Residential Zone
a.	Minimum Rear Yard Setback (East, as shown on Attachment #3)	7.5 m	5.4 m
b.	Minimum Front Yard Setback (Keele Street, as shown on Attachment #3)	7.5 m	4.0 m
c.	Minimum Number of Parking Spaces	218.27 m ² @ 4.5 spaces / 100 m ² = 10 spaces	9 spaces
d.	Maximum Driveway Width at Street Curb	6.0 m	10.13 m

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located on the east side of Keele Street, municipally known as 10137 Keele Street, north of Major Mackenzie Drive, City of Vaughan. The subject lands are located within the Village of Maple Heritage Conservation District Plan. The existing building is designated under Part V of the Ontario Heritage Act and is listed in the City's Register of Property of Cultural Heritage Value.

Official Plan

- a) Vaughan Official Plan 2010

The subject lands are designated "Low-Rise Mixed-Use" by Vaughan Official Plan 2010 (VOP 2010). The subject lands are also located within the Village of Maple Heritage Conservation District, and are subject to Section 12.2 ("Heritage Conservation Districts") in Volume 2 of VOP

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014

Item 10, CW Report No. 30 – Page 4

2010. The “Low-Rise Mixed-Use” designation and associated policies in VOP 2010 were approved by the Ontario Municipal Board (OMB) on February 3, 2014, and are in-effect. However, Section 12.2 in Volume 2 of VOP 2010 is still under appeal to the OMB, and is not in-effect.

The “Low-Rise Mixed-Use” designation permits a mix of residential, community, small-scale retail and office uses intended to serve the local population. The maximum building height and density permitted on the subject lands is 3-storeys and a Floor Space Index (FSI) of 1.5, respectively. The Official Plan permits the proposed office for a real estate agent. Also, the existing 2-storey building and 1-storey addition, with an FSI of 0.19, conforms to the Official Plan.

b) Maple Heritage Conservation District Plan

The owner is proposing to operate the real estate office from the existing dwelling and construct a 1-storey addition utilizing a residential design on the subject lands, as shown on Attachment #5. The proposed addition conforms to the Village of Maple Heritage Conservation District Plan (By-law 167-2007), as the addition relates to the architectural style of the existing building.

Zoning

The subject lands are zoned R1 Residential Zone by Zoning By-law 1-88, as shown on Attachment #2, which does not permit the proposed real estate office. Accordingly, an amendment to Zoning By-law 1-88 is required to permit the proposed Business or Professional Office and the associated site-specific zoning exceptions identified in Table 1 of this report in order to facilitate the proposed development shown on Attachments #3 to #5.

The Planning Department considers the proposed use and site-specific zoning exceptions to be appropriate. The proposed use is permitted by the Official Plan. The proposed 80.53 m² addition is 1-storey and located on the east side of the existing building, and the existing building elevation (2-storeys) facing Keele Street will remain unchanged. The proposal utilizes the existing heritage building and incorporates a residential design and scale that creates a built form that is compatible and complimentary to the adjacent low-density residential property to the south. The site is adjacent to a 3-storey commercial building to the north and a commercial parking lot to the east. The proposed development also supports the policies of the “Low-Rise Mixed-Use” designation in VOP 2010, as the proposed use contributes to an integrated mix of residential, retail and office uses intended to serve the local population along Keele Street.

A total of 9 parking spaces are provided on-site including 1 barrier free space. Two parking spaces are located within the proposed one-storey garage addition, as shown on Attachment #3. Zoning By-law 1-88 requires that parking for a Real Estate Office use be calculated as follows:

$$218.27 \text{ m}^2 @ 4.5 \text{ spaces} / 100 \text{ m}^2 = 10 \text{ spaces}$$

The original proposal included 11 parking spaces to comply with the parking requirements of Zoning By-law 1-88. However, the owner has removed two parking spaces in order to provide additional landscaping that will buffer the proposed parking area from the existing residential property to the south, and has added a bike rack to promote an alternative form of transportation, as shown on Attachment #4. Accordingly, the Planning Department has no objection to the proposed parking supply.

The owner is requesting a proposed driveway width at the street curb of 10.13 m, whereas Zoning By-law 1-88 permits a maximum 6.0 m wide driveway in an R1 Residential Zone. The proposed joint ingress/egress driveway entrance will generate slightly more traffic as a result of

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014

Item 10, CW Report No. 30 – Page 5

the commercial use, and requires a larger curb radius as the driveway is located on a Regional right-of-way (Keele Street), which has been reviewed and approved by the Vaughan Development / Transportation Engineering Department and subject to York Region approval. Accordingly, the Planning Department has no objection to the proposed 10.13 m driveway width.

Zoning By-law 1-88 requires a minimum rear yard setback of 7.5 m in the R1 Residential Zone. The owner is requesting a rear yard (east) setback of 5.4 m to facilitate the proposed 80.53 m² one-storey addition. The proposed addition will have minimal visual impact as the subject lands abut an existing private parking area to the east. On this basis, the Planning Department has no objections to the proposed rear yard setback.

The owner is requesting a minimum front yard (west) setback of 4.0 m, whereas the R1 Residential Zone requires 7.5 m. The reduced front yard setback is the result of a future road widening to York Region, as the Region is protecting a 30 m right-of-way on Keele Street as shown on Attachment #3. The front yard setback will recognize the location to the existing building. Accordingly, the Planning Department has no objection to the reduced front yard setback. The owner will be required to enter into an encroachment agreement with York Region at the Site Plan stage for any proposed landscaping within the Regional right-of-way.

Future Site Development Application

The owner has submitted a conceptual site plan, building elevations and landscape plan (Attachments #3, #4 and #5, respectively) in support of the zoning application. Should Vaughan Council approve the Zoning By-law Amendment application, additional information will be required for review through the Site Development application process. This will include, but not be limited to a fully dimensioned and labeled site plan, colour rendered and dimensioned elevations, landscape plans, and details regarding building textures, materials and colours. Should changes to the proposal occur through the Site Plan review, the owner may be required to successfully obtain approval of a minor variance(s) from the Vaughan Committee of Adjustment.

Cultural Heritage

The Cultural Heritage Division of the Vaughan Planning Department has reviewed the proposal and supports the proposed Zoning By-law Amendment application. The proposed addition conforms to the Maple Heritage Conservation District Guidelines as the addition relates to the architectural style of the existing building. The Heritage Vaughan Committee reviewed the proposal on May 21, 2014, and has no objections to its approval.

Vaughan Development/Transportation Engineering Department

The Development/Transportation Engineering Department has reviewed the following document submitted in support of the application:

- Cole Engineering Group Ltd. report titled "Traffic Impact and Parking Study, 10137 Keele Street, City of Vaughan", dated December 2013

The Development/Transportation Engineering Department agrees with the findings and recommendation that the proposed development will not have an adverse impact on the surrounding road network, and have no objections to the proposed Zoning By-law Amendment application. The owner is required to submit the following plans and studies to the satisfaction of the Development/Transportation Engineering Department upon submission of a Site Development Application:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014

Item 10, CW Report No. 30 – Page 6

- Functional Servicing Brief
- Noise Report
- Stormwater Management Report
- Grading Plans

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the following initiatives set forth in the Vaughan Vision 2020/Strategic Plan:

- Lead and Promote Environmental Sustainability**
The owner will be incorporating the sustainable site and building features identified in this report at the future site plan stage. The proposed landscape plan includes drought tolerant plant material/grey water irrigation/xeriscaping to promote water efficiency and proper management of stormwater discharge into the City's natural corridors and sewer systems.
- Plan and Manage Growth & Economic Vitality**
The proposed development implements the City's Official Plan and the Growth Management Strategy as set in Vaughan Official Plan 2010.
- Preserve Our Heritage and Support, Diversity, Arts & Culture**
The owner is proposing to retain and use the existing heritage dwelling. The Cultural Heritage Division of the Vaughan Planning Department and the Heritage Vaughan Committee have reviewed the proposal and support the proposed development subject to the comments in this report.

Regional Implications

The York Region Transportation and Community Planning Department has no objections to the proposed Zoning By-law Amendment application. York Region has indicated that it is protecting a 30 m right-of-way for this section of Keele Street, and requests that all municipal setbacks be referenced from a point 15 m from the centreline of construction of Keele Street.

York Region may require that the proposed driveway be moved closer to the south property line in order to protect for a future consolidated access to the adjacent property to the south. During the Site Plan process the owner may be asked to agree not to object to a future shared access and/or granting the necessary easements to create an interconnection between the owner's property and the property to the south in the event that the property to the south redevelops.

Conclusion

Zoning By-law Amendment File Z.13.047 has been reviewed in accordance with the policies of the Official Plan, Zoning By-law 1-88, and comments received from city departments and external public agencies. The Vaughan Planning Department is satisfied that the proposal to amend Zoning By-law 1-88 to permit a Business or Professional Office (office of a real estate agent) and the site-specific zoning exceptions outlined in Table 1 of this report are appropriate and compatible with the existing and permitted uses in the surrounding area, and conforms to the City's Official Plan. Accordingly, the Planning Department can support the approval of the Zoning By-law Amendment application, subject to the recommendations in this report.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014

Item 10, CW Report No. 30 – Page 7

Attachments

1. Context Location Map
2. Location Map
3. Conceptual Site Plan
4. Conceptual Landscape Plan
5. Conceptual Building Elevations (North, South, East)

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)